

# **BOARD OF DESIGN REVIEW MINUTES**

**October 24, 2002**

**CALL TO ORDER:** Chairman Stewart Straus called the meeting to order at 6:30 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive

**ROLL CALL:** Present were Chairman Stewart Straus; Board Members Cecilia Antonio, Mimi Doukas, and Jennifer Shipley. Board Members Hal Beighley and Ronald Nardoza were excused.

Senior Planner John Osterberg, Associate Planner Sambo Kirkman, Associate Planner Liz Shotwell, and Recording Secretary Sandra Pearson represented staff.

## **VISITORS:**

Chairman Straus read the format for the meeting and asked if any member of the audience wished to address the Board on any non-agenda item. There was no response.

## **STAFF COMMUNICATIONS:**

Senior Planner John Osterberg indicated that there were no staff communications.

## **NEW BUSINESS:**

### **PUBLIC HEARINGS:**

Chairman Straus opened the Public Hearing and read the format of the hearing. There were no disqualifications of Board Members. No one in the audience challenged the right of any Board Member to hear any agenda items or participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda.

### **A. BDR 2002-0147 – KUNI AUTOMOTIVE DESIGN REVIEW**

The applicant, Kuni Automotive, requests Design Review approval to construct a two story, 58,438 square foot building intended for automobile sales and service as part of the Kuni Automotive development plan, to be constructed in two phases. Phase I is a 49,489 square foot building intended for service, office and a sales showroom, and Phase II is a 8,949 square foot building addition intended for service only. The subject properties can be specifically identified as Tax Lots 2100, 2300, 2401, 2500, 2600 and 2700 on Washington County Assessor's Map

1S1-10DD. Tax Lots 2100, 2300, 2401 and 2500 are zoned General Commercial (GC) while Tax Lots 2600 and 2700 are zoned Community Service (CS). Together the subject properties total approximately 4.24 acres in size. A decision for action on the proposed Design Review request shall be based upon the Design Review approval criteria as listed in Development Code Section 40.10.15.3.C.

Ms. Doukas **MOVED** and Ms. Shipley **SECONDED** a motion to continue BDR 2002-0147 – Kuni Automotive Design Review to a date certain of November 14, 2002.

Motion **CARRIED**, unanimously.

**B. BDR 2001-0215 -- SALEM COMMUNICATIONS BROADCAST TOWER DESIGN REVIEW**

*(Request for continuance to November 7, 2002)*

The applicant has submitted a revision affecting the application listed below. Specifically, the applicant proposes a new tapered tower design of 199 feet in height, in contrast to the original plan for approximately 260 feet in height. The modified radio tower at 199 feet, in comparison to the original tower design, will not be lighted, will not be painted red and white and will not use guy wires at the ground. The revised proposal also includes a commensurate reduction in the length of proposed underground radial wires, no longer than 199 feet, and a reduction in associated tree removal. The applicant requests Design Review approval for the construction of a second AM radio broadcast tower, approximately 199-feet in height, upon the subject site. This second tower is proposed approximately 290 feet west of the existing tower. The proposal includes the tower and related equipment, and landscape mitigation for any potential impacts. The site is generally located west SW Oleson Road and east of SW Scholls Ferry Road on the north side of SW Vermont Street. The development site is specifically identified as Tax Lot 4000 of Washington County Tax Assessor's Map 1S1-13DC. The affected parcel is zoned Urban Standard Density (R-7) and totals approximately 12.8 acres in size. A decision for action on the proposed development shall be based upon the approval criteria listed in Development Code Section 40.10.15.3.C.

Ms. Doukas **MOVED** and Ms. Shipley **SECONDED** a motion to continue BDR 2001-0215 – Salem Communications Broadcast Tower Design Review to a date certain of November 7, 2002.

Motion **CARRIED**, unanimously.

**C. ADJ 2002-0003 -- NGUYEN DENTAL OFFICE, REDUCED LANDSCAPE BUFFER**

This land use application has been submitted for modifications upon the subject site due to proposed parking lot changes, causing the applicant to request an adjustment to the Regional Center Major Pedestrian Route Standard of Section

20.20.60.A.3.D.2 which requires, “a five (5) foot wide planter strip between the right-of-way or easement and the parking area.” To accommodate the required number of parking spaces, the applicant is proposing a three and one-half (3.5) foot planting strip between the SW Washington Avenue right-of-way and the parking area. The proposed modifications include an addition to the existing building and site located at the southwest corner of the intersection of SW 1st Street and SW Washington Avenue. The proposal is specifically located at 12520 SW 1st Street, Beaverton, Oregon; Washington County Assessor’s Map 1S1-16AD, Tax Lot 04700. The affected parcel is zoned Regional Center – Old Town (RC-OT) and is approximately 0.12 acres in size. A decision for action on the proposed development shall be based upon the approval criteria listed in Development Code Section 20.20.60.A.4.B.

Associate Planner Sambo Kirkman presented the Staff Report, provided copies of the vicinity map that was inadvertently omitted from the Staff Report, and briefly described the request for reduced landscape buffers. Concluding, she recommended approval, including certain Conditions of Approval, and offered to respond to questions.

**APPLICANT:**

**ROBERT STEELE**, representing *Design Intelligence*, on behalf of Anh Nguyen of *Tran Nguyen Management*, concurred with the Staff Report and briefly discussed the necessity for this adjustment to the required landscape buffers to allow for the proposed remodel of the dental clinic and parking lot changes and meet applicable development standards.

Chairman Straus questioned whether a landscape plan is available.

Mr. Steele advised Chairman Straus that the landscape plan is included within the Staff Report.

Observing that she is aware that the density is provided for screening purposes, Ms. Shipley expressed concern that this screening might be too dense, adding that there is not adequate room for this, particularly when considering the door swings that would occur in the area. She pointed out that the plan does not appear to be drawn to scale, and questioned how tall of a screen is actually necessary.

Observing that staff has approved this landscape plan, Mr. Steele indicated that the applicant is willing to make any adjustments deemed necessary by the Board of Design Review.

Ms. Shipley pointed out that it is not necessary for this screening to block headlights at this location.

Ms. Kirkman explained that no height has been established, adding that the purpose of the screening is concealment of the parking area.

Chairman Straus mentioned that it is necessary to address issues with regard to vision clearance, noting that this would restrict the height of the plant materials to three feet at maturity.

Noting that the bamboo is the only proposed plant material that might create a height issue and should be eliminated, Ms. Shipley expressed her preference for lower growing plants, adding that she would also suggest increasing the azalea to either a five-gallon size or 18-inch, balled and burlapped.

Mr. Steele indicated that the applicant is comfortable with these suggested revisions.

Chairman Straus advised Mr. Steele that when the Building Permit is obtained, it would be necessary for the van accessible aisle to be located on the passenger side, rather than the driver's side, of the handicapped space.

#### **PUBLIC TESTIMONY:**

No member of the public testified with regard to this application.

Ms. Kirkman indicated that she had no further comments with regard to this application.

The public portion of the Public Hearing was closed.

Ms. Doukas **MOVED** and Ms. Shipley **SECONDED** a motion for the approval of ADJ 2002-0003 – Nguyen Dental Office Reduced Landscape Buffer Adjustment, based upon the testimony, reports and exhibits presented during the public hearings on the matter and upon the background facts, findings and conclusions found in the Staff Report dated October 17, 2002, including Conditions of Approval Nos. 1 and 2, and adding a third Condition of Approval, as follows:

3. Prior to issuance of the Site Development Permit, the applicant shall submit a revised Landscape Plans, removing the Heavenly Bamboo plant material and revising the size of the azalea to a five-gallon size.

The question was called and the motion **CARRIED** by the following vote:

<b>AYES:</b>	Antonio, Doukas, Shipley, and Straus.
<b>NAYS:</b>	None.
<b>ABSTAIN:</b>	None.
<b>ABSENT:</b>	Beighley and Nardoza.

6:48 p.m. – Ms. Kirkman left.

**D. BDR 2002-0097 - TUALATIN VALLEY WATER DISTRICT, OPERATIONS CENTER EXPANSION**

The applicant requests Board of Design Review approval of a Design Review Type III application for expansion and new construction of buildings. The proposed expansion of the existing administrative facilities will total approximately 7,808 square feet and the proposed new Operations Support facility will total approximately 7,740 square feet. In taking action on the proposed development, the Board shall base its decision on the approval criteria listed in Section 40.10.15.3.C. The proposed development is generally located at the northeast corner of the intersection of SW 170th Avenue and SW Merlo Road, southwest of SW Merlo Drive. The development site can be specifically identified as 1850 SW 170th Avenue, Washington County Tax Assessor's Map 1S1-06DD Tax Lots 1100 & 1200. The affected parcels are zoned Station Community – Multiple Use (SC-MU) and totals approximately 7.75 acres in size.

Associate Planner Liz Shotwell presented the Staff Report and described the proposal to expand the operations facility, observing that the Planning Commission had approved three associated applications the previous evening, at which time they had also recommended that the Board review two associated Tree Preservation Plan Conditions of Approval in consideration with tonight's application. She mentioned a correction to Condition of Approval No. 20, which should read, as follows:

20. The applicant shall consult a certified arborist prior to construction, for recommendations of the proper measures to ensure that the trees scheduled for preservation are not impacted during site work.

Ms. Shotwell mentioned another correction to the Staff Report, observing that Washington County has requested that Condition of Approval No. D.1 be revised, as follows:

1. The applicant shall improve the east side of SW 170<sup>th</sup> Avenue for the frontage of the site, approximately 400 feet, at ultimate grade to Washington County Three Lane Arterial Standards, with a **future** bicycle lane, curb and gutter, planter strip and street trees.

Concluding, Ms. Shotwell recommended approval of the application, including recommended Conditions of Approval, and offered to respond to questions.

**APPLICANT:**

**GREG DiLORETO**, General Manager for the *Tualatin Valley Water District*, expressed his appreciation of the opportunity to present this application, and provided a of TVWD, which had been established in the year 1991 as a merger

between the Wolf Creek Highway Water District and the Metzger Water District. He explained that this public agency serves greater than 175,000 people, including more than 20,000 residents of the City of Beaverton, providing water for citizens, business and industry within Washington County.

Observing that the purpose of this application is to provide for the expansion of the district headquarters facility, Mr. DiLoreto noted that the current building was constructed in the year 1975, with several additions since that time. He explained that the project incorporates several principles, noting that obtaining the variance the previous evening from the Planning Commission had allowed the district to retain the large tree buffer along SW Merlo Road and SW 170<sup>th</sup> Avenue. He pointed out that they had also been able to continue with the one-story facility, utilizing materials that blend into both the existing building and the surrounding landscaped tree buffer that exists. He further explained that as a result of the tragedy that occurred on September 11, 2001, the Environmental Protection Agency (EPA) requires that all water providers serving greater than 100,000 people to complete what he referred to as a Security Vulnerability Assessment. Noting that this assessment for the building has been completed, he mentioned that this assessment has provided guidance on a number of security improvements that are necessary as a part of this project. Concluding, he introduced Alan Osborne, who is the Project Architect, and David Byrne, both of whom represent *Hennebery Eddy Architects*, adding that they are all available to respond to questions.

Ms. Doukas commended the applicant for going after the lead certification with regard to their facility.

Chairman Straus requested a brief description of the proposed building as it compares with the existing structure, including materials, colors and other features and characteristics.

**ALAN OSBORNE**, representing *Hennebery Eddy Architects*, provided an illustration of the primary addition proposed for the facility, and indicated the location of the emergency command center, as well as a small addition to the reconfigured and more prominent entry. Indicating that a materials board is available, he explained that the applicant had worked with the existing material palette, including the concrete slump block, the dark, anodized window system, the simulated wood shakes on the roof, and metal trim work utilized on the existing building, emphasizing that this would be continued throughout the addition.

Chairman Straus requested clarification of the reference to Keynote 29.

Mr. Osborne advised Chairman Straus that Keynote 29 should be Keynote 12, adding that this is a painted fascia. He mentioned that Keynote 29 on Drawings 7, 8 and 9 should actually be Keynote 10, which is not painted.

Chairman Straus requested clarification with regard to any portion of the landscaping that is now.

**DAVID BYRNE**, representing *Hennebery Eddy Architects*, informed Chairman Straus that while the majority of the landscaping exists at this time, new landscaping has been proposed along the edge of the parking areas as well as several other locations in order to address requirements of the Development Code.

Ms. Shipley commented that the proposal provides for the removal of a large number of mature trees, requesting clarification of whether any mitigation is required.

Emphasizing that the applicant had attempted to preserve as many of these trees as possible, Mr. Osborne pointed out that the minimum parking count of 115 had necessitated the removal of these trees. He explained that it is also necessary to separate the public parking area from the fleet parking area, emphasizing that this requirement had been included within the Federal Security Study Mandate.

**PUBLIC TESTIMONY:**

No member of the public testified with regard to this application.

Ms. Shotwell indicated that she had no further comments with regard to this application.

The public portion of the Public Hearing was closed.

Ms. Doukas **MOVED** and Ms. Shipley **SECONDED** a motion for the approval of BDR 2002-0097 – Tualatin Valley Water Department Operations Center Expansion Design Review, based upon the testimony, reports and exhibits presented during the public hearings on the matter and upon the background facts, findings and conclusions found in the Staff Report dated October 17, 2002, including Conditions of Approval Nos. 1 through 23, including staff's revision to Condition of Approval No. 20, revising Facilities Review Condition of Approval No. D.1 to include a future bicycle lane, as recommended, and adding Conditions of Approval Nos. 24 and 25 of the Supplemental Findings and Recommendation for Approval, dated October 24, 2002, as follows:

24. Where trees are proposed to be retained on a site where trees are approved for removal, tree protection fencing is required. A chain link construction fence, a minimum of six-feet in height, with bright-colored flagging placed along the top of the fence at 15-foot intervals, shall be placed at the approximate root zone of the protected trees where that root zone is within 25-feet of construction activity.

25. Grading activity over the root zones is prohibited during site construction, except where handwork is approved by an arborist. Tree root zones shall not be used for vehicle or construction equipment storage, or be used in any manner that would compact soil within the root zone.

Chairman Straus requested clarification of whether it is necessary to address the references building elevations included in the testimony within the motion.

Mr. Osterberg advised Chairman Straus that no motion is necessary to clarify these corrections to the plan sheets, emphasizing that this information was stated in the record and understood by all.

The question was called and the motion **CARRIED** by the following vote:

**AYES:** Antonio, Doukas, Shipley, and Straus.  
**NAYS:** None.  
**ABSTAIN:** None.  
**ABSENT:** Beighley and Nardozza.

**E. BDR 2002-0076 - SW 170TH AVENUE & BASELINE ROAD ELMONICA CONDOMINIUMS**

Applicant requests Design Review approval for major modifications to a previously approved Type III Design Review application (File BDR2001-0145). The original application was for the construction of a 120-unit, twenty building multi-family residential development at the southeast corner of SW Baseline Road and SW 170<sup>th</sup> Avenue, including the construction of twenty buildings, an access road, lighting, and associated landscaping. The original approval allowed for twelve of the first floor dwelling units to have the option of being used for any retail, office, or service uses allowed in the zoning district. This application is for major modifications to the original approval including but not limited to, the re-design of the water retention pond, addition of trash enclosures, and playground equipment. The Board of Design Review will review the overall design of this request. In taking action on the proposed development, the Board shall base its decision on the approval criteria listed in Section 40.10.15.3.C of the Beaverton Development Code. The development proposal is located at 16880 SW Baseline Road; Washington County Assessor's Map 1S1-06DA on Tax Lot 500. The affected parcel is zoned Station Community-Multiple Use (SC-MU) and is approximately 3.35 in size. A second parcel will also be affected by the development proposal. This parcel is located at 1200 SW 170<sup>th</sup> Avenue, Washington County Assessor's Map 1S1-06DA on Tax Lot 400.

Ms. Shotwell presented the Staff Report and discussed this request for major modifications to a Type 3 Design Review application (BDR 2001-0145) that had been approved by the Board on February 28, 2002. She briefly described the proposal, which includes but is not limited to the elimination of the above ground



storm water facility, the relocation of a trash enclosure, and the deletion of a playground. Observing that she would like to discuss some of the concerns expressed at the prior hearing, she referred to the monotony of the building design, including the mass, spacing, and uniformity of the building along SW 170<sup>th</sup> Avenue; the opportunity to provide a mixed use development with this Station Community-Mixed Use zoning designation; the urban streetscape features, including the exterior and interior of the site; viability of landscaping located between the buildings; and the relocation of the playground. She requested that the Board evaluate the proposed deletion of the playground area to determine whether adequate open space and potential for active recreational opportunities for children exists on the site, and referred to Condition of Approval No. 25, which addresses fencing of the playground in the event that the Board determines that this playground should not be removed as requested by the applicant.

Ms. Doukas requested clarification of why the applicant is requesting removal of the storm water facility.

Ms. Shotwell advised Ms. Doukas that because the applicant has an underground storm water facility, the above ground facility is no longer necessary. Concluding, recommended approval of the application, including recommended Conditions of Approval, and offered to respond to questions.

On question, Mr. Osterberg informed Ms. Doukas that in the event that this application is denied, the existing land use approval for this project would still be valid.

On question, Ms. Shotwell advised Chairman Straus that although the playground was included in the applicant's original proposal, the Development Code does not require this amenity.

#### **APPLICANT:**

**DON HANSON**, representing *Otak*, on behalf of *K & F Homes*, indicated that while the applicant basically agrees with the entire Staff Report, he would like to clarify some issues specifically with regard to the playground issue. He discussed special circumstances that had necessitated what he referred to as minor but numerous site changes, and briefly summarized the various revisions to plans for the proposed development. He explained that the Landscape Designer had removed the playground in order to provide more open lawn area within the project, expressing his opinion that it would be possible to provide a playground. He pointed out that while it had originally been determined that there would not be a large number of children residing within the development, the site is not in close proximity to any parks for the children to play in. He discussed the proposed Conditions of Approval, observing that the applicant concurs with Condition of Approval No. 25, which provides for a fence around the play area, in

the event the play area is included. Referring to Condition of Approval No. 24, which addresses the Description of Materials and Finishes Form, he pointed out that while the applicant had submitted Exhibit 9, he is assuming that staff is requesting greater detail.

Ms. Shotwell responded that it is staff's understanding that this exhibit – the Description of Materials and Finishes Form, as well as the elevations and materials board, were basically duplicates from the previous submittal, observing that this particular Condition of Approval could be deleted.

Mr. Hanson advised Ms. Shotwell that the applicant has no problem with providing more detail, if necessary, and discussed Condition of Approval No. 22, which refers to the Conditions of Approval from the previous land use order adopted February 28, 2002. Observing that Condition of Approval No. 22 specifically states the “following Conditions of Approval”, he questioned whether this is intended to reference Conditions of Approval Nos. 23, 24, and 25.

Ms. Shotwell verified that condition of Approval No. 22 does reference Conditions of Approval Nos. 23, 24, and 25.

Chairman Straus suggested a review of the comparison drawing provided by Mr. Hanson.

Mr. Hanson provided a brief explanation of the changes as illustrated on the comparison drawing.

Ms. Doukas mentioned that several of the documents continue to reference the water quality facility in the previous location.

Mr. Hanson informed Ms. Doukas that unless a document specifically identifies the paved area adjacent to the loop road, this reference to the water quality facility is a typo.

#### **PUBLIC TESTIMONY:**

**DAVID KAMIN**, Chairman of the Five Oaks/Triple Creek NAC, introduced himself and Rachel Nettleton, Secretary of the Five Oaks/Triple Creek NAC, observing that he has several concerns with regard to this proposal. Noting that he is aware that this property is zoned for this use, he pointed out that they had hoped for some retail use. He discussed issues with regard to what he considers a poor overall circulation pattern throughout the interior of the proposed project, emphasizing that because it is not possible to travel through the center of the property, it would be difficult to get from Point “A” to Point “B”. He expressed his opinion that the proposed design is monotonous, observing that it involves huge expanses of unbroken rooflines with numerous roof vents sticking out. Noting that he had reviewed a similar project that had been done by this company,

he mentioned that in his opinion, the gutters and downspouts had not been done properly. Referring to trash disposal, he pointed out that while he only has to take his trash about 25 feet out to the street to be picked up, the people residing on this property would have to take their trash at least 100 feet, emphasizing that this is quite a distance, particularly during inclement weather conditions. He expressed his disapproval of the proposed spacing between the buildings, emphasizing that this illustrates very inefficient utilization of the property. He suggested that rather than the 14-15 feet of dead space between the buildings, the structures should be massed together, with a common wall, which would reduce the building costs and allow the applicant to provide a better quality of building materials, products, and ornamentation. He pointed out that the parking proposed for this project is inadequate, noting that most families he knows possess two vehicles, and requested clarification of how this lack of adequate parking could be enforced. He expressed his concern with the potential for establishing a precedent by allowing a development to occur without adequate parking, noting that they are actually obtaining permission from Tri-Met for the utilization of their parking facility. He questioned what would happen at some future point when the Elmonica Station actually requires that parking, emphasizing that 300 row houses are under construction less than ¼ mile away, in addition to additional townhouses at another development in the same area. He mentioned that he is also concerned with the first level use of businesses, observing that while this had been attempted at Beaverton Station, the result had been an abysmal failure. He pointed out that none of the businesses had actually prospered and that only two – a hair salon and an insurance agent -- are still operating.

**RACHEL NETTLETON**, Secretary of the Five Oaks/Triple Creek NAC, expressed concern with the number of units proposed, the size, and the amenities for the residents of this development, adding that the applicant has proposed what she considers an extremely tiny park for this number of units, adding that there is very little green space. Pointing out that the little alleyways are also a security concern, she mentioned that it would be possible for people to hide in these areas. Concluding, she expressed her opinion that the noise that would be generated by SW Baseline Road is not adequately shielded, adding that she is concerned with amenities, parking, lighting issues, and handicapped accessibility.

#### **APPLICANT REBUTTAL:**

Mr. Hanson responded to Mr. Kamin's comments with regard to more retail use in the area, emphasizing that housing is a permitted use in this district. He pointed out that the applicant's objective is to provide good affordable housing within walking distance to a transit station, adding that Tri-Met agrees with both the use and the density. Referring to the comment regarding circulation, he expressed his opinion that the internal site circulation is excellent, adding that the applicant has provided two access points, including an interior loop road. He mentioned that the Fire Marshall approves of the proposal, noting that there are shortcut sidewalk paths through the site, as well as through the open ends between

the openings between the buildings. He mentioned that while there had been comments with regard to the monotonous design, two building types have been proposed, as well as two different roof types. He discussed the reference downspouts pouring on the roofs, noting that because all of the downspouts on this project would be conducted to the ground on this project, this would not be an issue. He pointed out that Mr. Kamin is correct that it is necessary to walk a distance of 100 feet to access the trash enclosures, adding that this information is provided to anyone purchasing a unit. With regard to the spacing between the buildings, he noted that this site is not that urban, adding that in an attempt to fit in with the adjacent neighborhood, the applicant had proposed this series of smaller scale buildings. He discussed parking issues, noting that contrary to Mr. Kamin's statement, he is hoping that these families will own only one, rather than two, vehicles. He emphasized that it is feasible that the close proximity to the light rail station might encourage some families to have no vehicle at all. Referring to the issue of first-level retail, he expressed his opinion that it is not appropriate to consider Beaverton Station when considering this issue at this location. He pointed out that the first floor proposal for these buildings is entirely flexible, noting that they could provide one-bedroom units or retail or office space. Observing that there has been concern with the number of units, he pointed out that it is appropriate and within the allowable density range. In response to Ms. Nettleton's concern with security issues, he stated that the intimate spaces between buildings are well lit. He expressed his opinion that the size of the central plaza is appropriate, emphasizing that this area does not need to be huge to be effective. He mentioned that the applicant has made revisions to the site plan in order to accommodate handicapped requirements, adding that both parking and circulation issues have been addressed. He explained that the Elmonica Transit Station parking lot is already full, adding that the applicant is actually providing ten additional parking spaces, with the right to utilize 12 parking spaces on a permanent basis.

Chairman Straus requested further information with regard to the type of lighting that would be facing the public streets, specifically whether this lighting would be shielded or non-shielded.

Mr. Hanson noted that basically all of the lighting that would be facing the streets would involve porch lights, adjacent to the one-bedroom entries, adding that these are primarily can lights, that would be shining down towards the surface of the porch.

Ms. Shotwell requested that the Board consider Condition of Approval No. 12, as well as the roof vents shown on the elevations, in order to evaluate whether those two items might involve potential inconsistencies.

Observing that roof vents basically involve the nature of the beast, Chairman Straus emphasized that they are required by the Development Code and must be provided. He discussed the two options presented by the applicant, specifically

with or without the playground, suggesting that if possible, he would like any approval that would allow either option to be utilized in order to provide the applicant with the ability to install whichever is most appropriate based upon the demographics of the occupants.

Expressing her disagreement with Chairman Straus' suggestion that the applicant be allowed the option of either providing or not providing the playground, Ms. Doukas emphasized that based upon the number of units proposed, the playground should be installed.

Ms. Shotwell advised Ms. Doukas that it would be appropriate for the Board of Design Review to recommend only one of these options.

Chairman Straus pointed out that the Beaverton School District had projected a total of 85 school-aged children as a proposed impact with regard to this proposed development.

Ms. Doukas expressed her opinion that this playground is basically the crust of why this application has been presented to the Board of Design Review.

Ms. Shipley discussed concern with regard to the massing of building, expressing her opinion that the narrow courtyard between the buildings actually provides the opportunity for windows, cross-ventilation, as well as a view and vegetation, adding that this is an improvement that creates more of a residential environment. She pointed out that the massing proposed by Mr. Kamin would be much more oppressive in scale, and would allow no opportunity for light, breeze or a view.

The public portion of the Public Hearing was closed.

Ms. Doukas **MOVED** and Ms. Antonio **SECONDED** a motion for the approval of BDR 2002-0076 – SW 170<sup>th</sup> & Baseline/Elmonica Condos Design Review, based upon the testimony, reports and exhibits presented during the public hearings on the matter and upon the background facts, findings and conclusions found in the Staff Report dated October 17, 2002, including Conditions of Approval Nos. 1 through 25, and additional Condition of Approval No. 26, as follows:

26. The development shall include the play area shown on the September 25, 2002 sketch plan submitted by the applicant.

Observing that staff had implied that it had been satisfied, Chairman Straus questioned whether Condition of Approval No. 24 should be deleted.

Ms. Shotwell advised Chairman Straus that the applicant's testimony had indicated the potential for completion of a more descriptive form.

The question was called and the motion **CARRIED** by the following vote:

**AYES:** Antonio, Doukas, Shipley, and Straus.  
**NAYS:** None.  
**ABSTAIN:** None.  
**ABSENT:** Beighley and Nardozza.

**APPROVAL OF MINUTES:**

The minutes of September 12, 2002, as written, were submitted. Observing that he had been the only member of the Board of Design Review present at this meeting, Chairman Straus **APPROVED** the minutes as written and submitted.

**MISCELLANEOUS BUSINESS:**

Mr. Osterberg mentioned a letter from Development Services Manager Steven Sparks requesting a representative of the Board of Design Review to serve on the Code Review Advisory Committee (CRAC).

Chairman Straus reminded Mr. Osterberg that Ms. Doukas had already volunteered to serve in this capacity at the meeting of September 26, 2002, adding that he would personally serve as an alternate in the event that she is unavailable.

The meeting adjourned at 8:05 p.m.